

Deutsche Bank Trust Company Americas, in its capacity as successor  
indenture trustee for certain of Senior notes, et al

INDEX#: 1:11-CV-04784-RJH

against

*Plaintiff(s)*

Adaly Opportunity Fund TD Securities Inc. c/o Adaly Investment Management  
Co.,

*Defendant(s)*

## AFFIDAVIT OF SERVICE

State of New York     }  
County of Ulster     } ss.:

The undersigned, being duly sworn, deposes and says;

Deponent is not a party herein, is over 18 years of age and resides in the state of New York

That on **11/18/2011 at 7:23 AM at 4 Tappen Place, Rhinebeck, NY 12572**

deponent served a(n) **Summons in a Civil Action, Second Amended Complaint and New York Amended Exhibit A**

on **Paul Pai** defendant therein named,

by delivering a true copy of each to said defendant personally;

deponent knew the person so served to be the person described as said defendant therein.

### Description of Person Served:

Gender: Male  
Skin: Brown  
Hair: Black  
Age: 51 - 65 Yrs.  
Height: 5' 4" - 5' 8"  
Weight: 131-160 Lbs.  
Other:

MILITARY SERVICE: Person spoken to was asked whether the recipient was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to before me this

*22nd day of Nov., 2011*

*Kim F. Letus*  
KIM F. LETUS  
NOTARY PUBLIC  
STATE OF NEW YORK  
QUALIFIED IN ULSTER COUNTY  
COMM. EXPIRES MARCH 30, *2015*

*George Walczak*  
George Walczak